

City Clerk File No. Ord. 15.137

Agenda No. 3.B 1st Reading

Agenda No. 4.B 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.137

TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS FOR THE ADDITION OF SHORT TERM RENTAL USE TO CHAPTER 345 ARTICLE I (DEFINITIONS) AND ARTICLE V, SECTION 60 – SUPPLEMENTARY ZONING

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-62, may adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-64, has sought and received the recommendations of the Jersey City Planning Board relative to these issues; and

WHEREAS, the municipal council seeks to permit short term rental use throughout all of Jersey City; and

WHEREAS, the Planning Board voted to recommend adoption of this amendment by the Municipal Council at their October 6, 2015 regular meeting;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the Jersey City Land Development Ordinance, be and is hereby amended as follows (Material indicated by strikethrough ~~like this~~ is existing material that is intended to be deleted. Material indicated by bold italic *like this* is new material that is intended to be enacted):

Amendment to Jersey City Land Development Ordinance for Chapter 345, Article I, Section 6. Definitions:

SHORT TERM RENTAL — The accessory use of a Dwelling Unit for occupancy by someone other than the unit's owner or permanent resident for a period of less than 30 consecutive days.

Amendment to Jersey City Land Development Ordinance for Chapter 345, Article V, Section 60 – Supplementary Zoning:

A-X. Unchanged

Y. Short Term Rental

- 1. Short Term Rentals are permitted as an accessory use to a permitted principal residential use in all zoning districts and redevelopment plan areas where residential uses are permitted.***

a. The person offering a Dwelling Unit for Short-Term Rental use must be the owner or lessee of the residence in which the Short-Term Rental activity occurs. Short-Term Rental activity may occur in a habitable accessory building located on the same premises as the residence.

b. No person offering a Dwelling Unit for Short-Term Rental use shall be required to obtain any license for such use, including but not limited to licenses that would otherwise be required by Section 188 or Section 254-82,

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING
AMENDMENTS FOR THE ADDITION OF SHORT TERM RENTAL USE TO CHAPTER 345
ARTICLE I (DEFINITIONS) AND ARTICLE V, SECTION 60 – SUPPLEMENTARY ZONING**

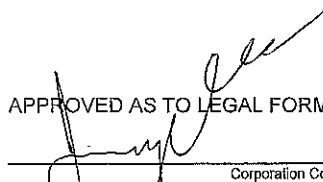
unless such person offers more than 5 separate Dwelling Units for Short-Term Rental use in the City. Any person offering more than 5 separate Dwelling Units for Short-Term Rental use in the City must:

- i. obtain a license pursuant to Section 254-82 to offer each Dwelling Unit for Short-Term Rental. The City shall have discretion to accept and reject such licenses.*
- ii. ensure that the Short-Term Rental use is clearly incidental to the principal residential uses permitted in the zone where each such Dwelling Unit is located.*
- c. There shall be no sign identifying the Short-Term Rental use, and there shall be no identification of such Short-Term Rental use upon any mailbox.*
- d. The Short-Term Rental use shall be conducted in a manner that does not materially disrupt the residential character of the neighborhood.*
- e. No equipment or process shall be used in such Short-Term Rental which creates glare, fumes, odors, or other nuisance factors detectable to the human senses outside the lot on which the Short-Term Rental is conducted.*

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is hereby directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

APPROVED AS TO LEGAL FORM




Corporation Counsel

Certification Required ☐
Not Required ☐

Robert D. Cotter, PP, FAICP
Director of Planning

APPROVED: _____

APPROVED: _____



Business Administrator

RESOLUTION/ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS FOR THE ADDITION OF SHORT TERM RENTAL USE TO CHAPTER 345, ARTICLE I (DEFINITIONS) AND ARTICLE V, SECTION 60 – SUPPLEMENTARY ZONING

Initiator

Department/Division	Law Department	Law Department
Name/Title	Jeremy Farrell	Corporation Counsel
Phone/email	(201) 547-4667	JFarrell@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

This ordinance will allow short term rentals accessory uses in all zoning districts and redevelopment plan areas where residential use is permitted.

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 15.137
TITLE: 3.B OCT 14 2015 4.B OCT 28 2015

Ordinance of the Municipal Council of the City of Jersey City
adopting amendments for the addition of short term rental use to
Chapter 345 Article I (Definitions) and Article V, Section 60 -
Supplementary Zoning.

RECORD OF COUNCIL VOTE ON INTRODUCTION OCT 14 2015 6-1											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	ABSENT			RIVERA	✓		
RAMCHAL	ABSENT			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO		✓		COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING OCT 28 2015 9-0											
Councilperson <u>WATTERMANN</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMANN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE OCT 28 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on OCT 14 2015
Adopted on second and final reading after hearing on OCT 28 2015

This is to certify that the foregoing Ordinance was adopted by
the Municipal Council at its meeting on OCT 28 2015

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date OCT 28 2015

APPROVED:

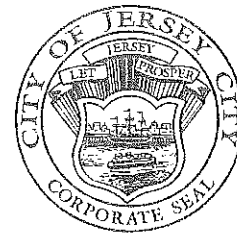
Steven M. Fulop, Mayor
Date OCT 30 2015

Date to Mayor OCT 29 2015

City Clerk File No. Ord. 15.138

Agenda No. 3.C 1st Reading

Agenda No. 4.C 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.138

TITLE:

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) ARTICLE III (MAYOR) AND ARTICLE XI (DEPARTMENT OF PUBLIC SAFETY) OF THE JERSEY CITY MUNICIPAL CODE

COUNCIL offered and moved adoption of the following Ordinance:

- A. The following amendments to Chapter 3 (Administration of Government) Article III (Mayor) are hereby adopted:

ADMINISTRATION OF GOVERNMENT
ARTICLE III
Mayor

§3-10. Through §3-17. No Change.

§3-18. - Organization of office.

The office of the Mayor shall consist of the Mayor and his or her personal staff as authorized by Sec. 2-45 of the City Code.

§3-19. - ~~[Office of Municipal Emergency Management]~~ Reserved.

- ~~[A. Within the office of the Mayor there shall be an Office of Municipal Emergency Management, the head of which shall be the Municipal Emergency Management Coordinator.~~
- ~~B. The Municipal Emergency Management Coordinator shall serve for a term of three years.~~
- ~~C. The Municipal Emergency Management Coordinator shall be responsible for the planning, activating, coordinating and the conduct of Emergency Management operations within the City of Jersey City and shall be a member and shall serve as chairman of the local Emergency Management Council.~~
- ~~D. The Municipal Emergency Management Coordinator may appoint one or more Deputy Municipal Emergency Management Coordinators with the approval of the Mayor.]~~

§3-19.1 Through §3-19.2 No Change.

- B. The following amendments to Chapter 3 (Administration of Government) Article XI (Department of Public Safety) are hereby adopted:

ADMINISTRATION OF GOVERNMENT
ARTICLE XI
Department of Public Safety

§3-83. Through §3-87. No Change.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT)
ARTICLE III (MAYOR) AND ARTICLE XI (DEPARTMENT OF PUBLIC SAFETY) OF THE JERSEY CITY
MUNICIPAL CODE

SUB-ARTICLE II
Division of Fire and Emergency Services

§3-88. Through §3-90. No Change.

~~§3-91. Division of Parking Enforcement.~~

~~There shall be a Division of Parking Enforcement, the head of which shall be the Director of Parking Enforcement.~~

~~A. The Division of Parking Enforcement shall perform the following functions:~~

- ~~(1) Enforce all relevant parking regulations and operate all parking programs and facilities as set forth in Chapter 332 (Vehicles and Traffic) of the Municipal Code, including Article VII (Metered Parking), and Article VIII (Permit Parking), which were previously authorized to be enforced by the Jersey City Parking Authority on behalf of the City.~~
- ~~(2) Issue summonses for violations of any provision of applicable state law, municipal ordinance or regulation as to the parking of vehicles within the City.~~
- ~~(3) Serve and execute all process with respect to any such violation issuing out of the Jersey City Municipal Court.~~
- ~~(4) Cause any vehicle parked, stored or abandoned in violation of any provision of said law, ordinance or regulation to be towed away from the scene of such violation, or booted at the scene, and collect from the owner of such vehicle the costs of the towing and subsequent storage of said vehicle before surrendering said vehicle to such owner, or removal of said boot.~~

SUB-ARTICLE III
Division of Parking Enforcement

§3-91. - Division of Parking Enforcement.

There shall be a Division of Parking Enforcement, the head of which shall be the Director of Parking Enforcement.

A. The Division of Parking Enforcement shall perform the following functions:

- (1) Enforce all relevant parking regulations and operate all parking programs and facilities as set forth in Chapter 332 (Vehicles and Traffic) of the Municipal Code, including Article VII (Metered Parking), and Article VIII (Permit Parking), which were previously authorized to be enforced by the Jersey City Parking Authority on behalf of the City.
- (2) Issue summonses for violations of any provision of applicable state law, municipal ordinance or regulation as to the parking of vehicles within the City.
- (3) Serve and execute all process with respect to any such violation issuing out of the Jersey City Municipal Court.
- (4) Cause any vehicle parked, stored or abandoned in violation of any provision of said law, ordinance or regulation to be towed away from the scene of such violation, or booted at the scene, and collect from the owner of such vehicle the costs of the towing and subsequent storage of said vehicle before surrendering said vehicle to such owner, or removal of said boot.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT)
ARTICLE III (MAYOR) AND ARTICLE XI (DEPARTMENT OF PUBLIC SAFETY) OF THE JERSEY CITY
MUNICIPAL CODE

SUB-ARTICLE IV

Division of Municipal Emergency Management and Homeland Security

§3-92. - Division of Municipal Emergency Management and Homeland Security.

- A. Within the Department of the Public Safety there shall be a Division of Municipal Emergency Management and Homeland Security, the head of which shall be the Municipal Emergency Management Homeland Security Coordinator/Director.
- B. The Municipal Emergency Management Homeland Security Coordinator/Director shall serve for a term of three years.
- C. The Municipal Emergency Management Homeland Security Coordinator/Director shall be responsible for the planning, coordinating, response and recovery from all facets of natural and manmade disasters and the conduct of Emergency Management/Homeland Security operations within the City of Jersey City and shall be a member and shall serve as chairman of the Local Emergency Planning Council (LEPC).
- D. The Municipal Emergency Management Homeland Security Coordinator/Director may appoint one or more Deputy Municipal Emergency Management Homeland Security Coordinators/Directors with the approval of the Mayor.

§§3-93—3-98. - Reserved.

- C. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- D. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- E. This ordinance shall take effect at the time and in the manner as provided by law; however, the amendments to Section 3.72 (B) and (E), Division of Sanitation, concerning garbage disposal and solid waste/recycling shall only take effect should the Municipal Council decide to dissolve the Jersey City Incinerator Authority and the dissolution is approved by the Local Finance Board pursuant to N.J.S.A. 40A:5A-20.
- F. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Note: All new material is underlined; words in [brackets] are omitted.
For purposes of advertising only, new matter is **boldface** and repealed matter by *italics*.

JM/he
9/30/15
10/14/15

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required ☐
Not Required ☐

APPROVED: _____

APPROVED: _____
Business Administrator

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT)
ARTICLE III (MAYOR) AND ARTICLE XI (DEPARTMENT OF PUBLIC SAFETY) OF THE JERSEY CITY
MUNICIPAL CODE**

Initiator

Department/Division	Mayor's Office	Mayor's Office
Name/Title	Mark Albiez	Chief of Staff
Phone/email	(201) 547-6544	MAlbiez@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

The purpose of this Ordinance is to move OEM from under the Mayor to under the Department of Public Safety. The Ordinance will also correct the placement of the Code under Public Safety so that Public Safety will have four (4) units in parity: 1) Division of Police; 2) Division of Fire and Emergency Services; 3) Division of Parking Enforcement; and 4) Division of Municipal Emergency Management.

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date



City Council Replacement Cover Sheet

Submitted By	Jeremy Farrell, Corporation Counsel
Department	Law Dept
Date Submitted	October 14, 2015
Pls. note Revisions and Page Number	Ord. 15-138
	Page #3, Sec. 3-92, the following language has been added: "Office of Municipal Emergency Management and <u>Homeland Security</u> "
	Page #3, Sec. 3-92, Sub-Sections A, B, C and D: Language has been changed to reflect this revision.

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 15.138

TITLE: 3.C OCT 14 2015 4.C OCT 28 2015

Ordinance amending and supplementing Chapter 3
(Administration of Government) Article III (Mayor) and Article
XI (Department of Public Safety) of the Jersey City Municipal
Code. (Division of Parking Enforcement) and (Office of
Emergency Management and Homeland Security).

RECORD OF COUNCIL VOTE ON INTRODUCTION OCT 14 2015 7-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	ABSENT			RIVERA	✓		
RAMCHAL	ABSENT			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING OCT 28 2015 8-0											
Councilperson <u>WATTERMANN</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	ABSENT		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMANN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE OCT 28 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on OCT 14 2015

Adopted on second and final reading after hearing on OCT 28 2015

This is to certify that the foregoing Ordinance was adopted by
the Municipal Council at its meeting on OCT 28 2015

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date OCT 28 2015

APPROVED:

Steven M. Fulop, Mayor

Date

OCT 30 2015

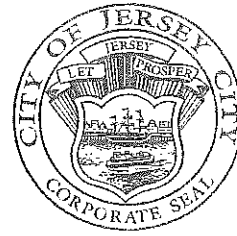
Date to Mayor

OCT 29 2015

City Clerk File No. Ord. 15.139

Agenda No. 3.D 1st Reading

Agenda No. 4.D 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.139

TITLE:

**ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY TO
EXECUTE A MONTH-TO-MONTH LEASE NOT TO EXCEED SIX
MONTHS EFFECTIVE AS OF OCTOBER 1, 2015 WITH 3000 KENNEDY
BLVD, LLC FOR THE USE OF 29 PARKING SPACES AT 3000
KENNEDY BOULEVARD, JERSEY CITY**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City ("City") requires a parking facility for employees who work at 1 Journal Square Plaza, Jersey City; and

WHEREAS, 3000 Kennedy Blvd, LLC ("Landlord") operates a parking facility at 3000 Kennedy Boulevard, Jersey City ("Facility"); and

WHEREAS, the Landlord agrees to lease to the City twenty-nine (29) reserved parking spaces at the Facility to be used by City employees who work at 1 Journal Square Plaza; and

WHEREAS, the City shall the right to decrease the total number of spaces its leases during the lease term; and

WHEREAS, the rent will be \$140.00 per parking space per month for a total monthly rent of \$4,060.00; and

WHEREAS, the lease will be a month-to-month lease not to exceed six months effective October 1, 2015; and

WHEREAS, the City will have the right to terminate the lease without cause by providing thirty (30) days' written notice to the Landlord; and

WHEREAS, N.J.S.A. 40A:12-5 provides that a municipality may by ordinance acquire property by lease; and

WHEREAS, funds in the amount of \$12,180.00 are available in Account No.01-201-31-432-304; and

WHEREAS, the balance of the lease funds will be made available in the 2016 fiscal year budget.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

1. Subject to such modifications as may be deemed necessary or appropriate by Corporation Counsel, the Mayor or Business Administrator is authorized to execute the Lease Agreement attached hereto with 3000 Kennedy Blvd, LLC for twenty nine (29) reserved parking spaces at the parking facility located at 3000 Kennedy Boulevard, Jersey City;

2. The term of the lease shall be effective as of October 1, 2015 and shall continue on month-to-month basis not to exceed six months;
 3. The City shall have the right to terminate the lease by providing thirty (30) days' notice prior to the effective date of termination;
 4. The monthly rents for twenty nine (29) reserved parking spaces shall be \$140.00 per space for a total monthly rent of \$4060.00; and
 5. Funds in the amount of \$12,180.00 are available in Account No. 01-201-31-432-204. The balance of the lease funds will be made available in the 2016 fiscal year budget.
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect in the manner as prescribed by law.
- D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers, and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

I, _____, Donna Mauer, as Chief fiscal Officer, hereby certify that funds in the amount of _____ are available for this expenditure in Account No. 01-201-31-432-304

RR
9-29-15

APPROVED AS TO LEGAL FORM

Certification Required ☐
Not Required ☐

APPROVED: _____

APPROVED: _____

Corporation Counsel

Business Administrator

ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE AUTHORIZING THE CITY TO EXECUTE A MONTH TO MONTH LEASE NOT TO EXTEND SIX MONTHS EFFECTIVE AS OF OCTOBER 1, 2015 WITH 3000 KENNEDY BLVD., LLC FOR THE USE OF 29 PARKING SPACES AT 3000 KENNEDY BOULEVARD, JERSEY CITY.

Initiator

Department/Division	Administration	Real Estate
Name /Title	Dominick Pandolfo	Supervising Administrative Analyst
Phone/E-Mail	(201) 547-4296	Dominick@jenj.org

Note initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance/Resolution Purpose

To provide parking for City employees who work at 1 Journal Square. The term of this Lease Agreement will be a month to month lease not to exceed six (6) months shall take effect as of October 1, 2015 for 29 spaces @ \$140.00 per space for a total monthly rent of \$4,060.00. The City shall have the right to decrease the total number of spaces it leases during the lease term. The City shall also have the right to terminate the lease without cause by providing thirty (30) days written notice to the Landlord.

I certify that all the facts presented herein are accurate.

Signature of Department Director

Dominick Pandolfo

Date

10/6/15
10/06/2015

LEASE AGREEMENT

This **AGREEMENT** made this ____ day of October, 2015, between the **CITY OF JERSEY CITY**, a Municipal Corporation of the State of New Jersey, with offices at City Hall, 280 Grove Street, Jersey City, New Jersey 07302 [City or Tenant] and **3000 KENNEDY BLVD, LLC** with offices at 3000 Kennedy Boulevard, Suite 313B, Jersey City, NJ 07306 [Landlord.]

Whereas, the City requires parking facilities for employees whose offices are at One Journal Square Plaza, Jersey City; and

Whereas, the Landlord operates a parking facility at 3000 Kennedy Boulevard, Jersey City, New Jersey 07306 ("Facility"); and

Whereas the Landlord agrees to rent to the City twenty-nine (29) reserved parking spaces at the Facility on a twenty-four (24) hour basis, Monday thru Sunday; and

Whereas, the City and Landlord desire to enter into this lease agreement for the rental of parking spaces effective as of October 1, 2015 and continuing on a month-to-month basis not to exceed six (6) months.

Now, therefore, in consideration of the mutual promises and covenants set forth herein, the parties agree as follows:

ARTICLE I

Premises

Landlord does hereby lease to the City and the City does hereby rent from the Landlord twenty-nine (29) reserved parking spaces at the Facility.

ARTICLE II

Term

This lease agreement shall be effective as of October 1, 2015 and continue on a month-to-month basis not to exceed six (6) months. The City shall have the right to terminate the lease without cause by providing thirty (30) days' notice prior to the effective date of termination.

ARTICLE III

Use

Under the terms of this lease, the City shall have the right to use and occupy twenty-nine (29) reserved parking spaces located at the Landlord's Facility. The City's use of the leased spaces shall be restricted to the vehicles. During the lease term, the City shall have the right to reduce the number of parking spaces that it uses by five (5) spaces effective as of December 1, 2015. During the lease term, subject to the City providing the Landlord with twenty (20) days' notice, the City shall have the right to reduce the number of parking spaces that it uses by ten (10) spaces effective as of January 1, 2016.

ARTICLE IV

Payment of Rent

The City agrees to pay the Landlord as rent one hundred forty dollars (\$140.00) per parking space per month, payable on the first day of each month. Payments must be mailed to Landlord's office, 3000 John F. Kennedy Boulevard, Suite 313B, Jersey City, New Jersey 07306. In the event that the City exercises its right to decrease or increase the number of parking spaces, the monthly rent shall be reduced or increased accordingly.

ARTICLE V

Property Damage/ Loss

The City shall hold Landlord harmless for any lost, stolen, or damaged property that is not due to the recklessness or negligence of Landlord, its agents, employees, and/or officials. The City also agrees to assume any charges associated with the towing of any of the City's vehicles parked in the Facility.

ARTICLE VI

Termination

The City shall have the right to terminate the lease at any time without cause by giving the Landlord thirty (30) days' written notice prior to the effective date of termination.

ARTICLE VII

Validity of Lease

The terms, conditions, covenants, and provisions of this Lease shall be deemed to be severable. If any clause or provision herein contained shall be adjudged to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, it shall not affect the validity or any other clause or provision herein, but such other clauses or provisions shall remain in full force and effect.

ARTICLE VIII

Notices

All notices required under the terms of this Lease shall be given and shall be complete by mailing such notices by certified mail, return receipt requested, or by hand delivery to the addresses below:

City:

City of Jersey City
Robert Kakoleski, Business Administrator
City Hall
280 Grove Street, Room 108
Jersey City, New Jersey 07302

Licensor:

3000 Kennedy Blvd, LLC
3000 John F. Kennedy Blvd., Suite 313B
Jersey City, New Jersey 07306

ARTICLE IX

Entire Contract

This lease contains the entire agreement between the parties. No representative, agent, or employee of the Landlord has been authorized to make any representations or promise with reference to the within to vary, alter, or modify the terms hereof. No additions, changes or modifications, renewals or extensions hereof, shall be binding unless reduced to writing and signed by the Landlord and the City.

ARTICLE X

Insurance

The City agrees to supply Landlord with a certificate of insurance evidencing liability coverage naming Landlord as an additional insured. The City shall supply Landlord with the certificate of insurance prior to commencement of the lease, and such coverage shall remain in effect throughout the term of the lease.

IN WITNESS WHEREOF, the parties to this agreement have executed this Lease Agreement as of the _____ day of October 2015.

ATTEST:

CITY OF JERSEY CITY

ROBERT BYRNE
City Clerk

ROBERT KAKOLESKI
Business Administrator

WITNESS:

3000 KENNEDY BLVD, LLC

By: _____

By: _____

Title: _____

Title: _____

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 15.139
TITLE: 3.D OCT 14 2015 4.D OCT 28 2015

Ordinance authorizing the City of Jersey City to execute a month-to-month lease not to exceed six months effective as of December 1, 2015 with 3000 Kennedy Boulevard, LLC., for the use of 29 parking spaces at 3000 Kennedy Boulevard, Jersey City.

RECORD OF COUNCIL VOTE ON INTRODUCTION OCT 14 2015 7-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	ABSENT			RIVERA	✓		
RAMCHAL	ABSENT			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING OCT 28 2015 9-0											
Councilperson <u>WATTERMAN</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.				COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted				COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE OCT 28 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on OCT 14 2015
Adopted on second and final reading after hearing on OCT 28 2015

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on OCT 28 2015

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date

OCT 28 2015

APPROVED:

Steven M. Fulop, Mayor

Date

OCT 30 2015

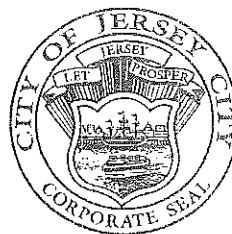
Date to Mayor

OCT 29 2015

City Clerk File No. Ord. 15.140

Agenda No. 3.E 1st Reading

Agenda No. 4.E. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.140

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) AMENDING SECTION 332-5 (ONE-WAY STREETS) OF THE JERSEY CITY CODE DESIGNATING BAY STREET FROM WARREN STREET TO MARIN BOULEVARD AS A ONE WAY WEST AND REPEALING THE ONE WAY WEST ON SECOND STREET FROM WASHINGTON STREET TO MARIN BOULEVARD

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) of the Jersey City Code is hereby supplemented as follows:

Section 332-5 ONE-WAY STREETS

The streets or parts of streets listed below are hereby designated as one way streets in the direction indicated.

Name of Street	Direction	Limits
Bay St	<u>West</u>	<u>Greene St to Newark Av</u> [Greene St to Warren St] [Marin Blvd to Newark Av]
Second St	West	[Washington St] <u>Marin Blvd</u> to Newark Av Monmouth St to Merseles St

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
4. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repeaters of existing provisions.

NOTE: All new material to be inserted is underscored; material to be repealed is in [brackets].

JDS:pel
(10.6.15)
2ND Original

APPROVED: _____
Director of Traffic & Transportation

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____
Municipal Engineer

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) AMENDING SECTION 332-5 (ONE-WAY STREETS) OF THE JERSEY CITY CODE DESIGNATING BAY STREET FROM WARREN STREET TO MARIN BOULEVARD AS A ONE WAY WEST AND REPEALING THE ONE WAY WEST ON SECOND STREET FROM WASHINGTON STREET TO MARIN BOULEVARD

Initiator

Department/Division	Administration	Architecture, Engineering, Traffic and Transportation
Name/Title	Joao D'Souza at the request of Councilwoman Osborne, Ward E	Director of Traffic & Transportation
Phone/email	201.547.4470	JOAO@cnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

AN ORDINANCE DESIGNATING BAY STREET FROM WARREN STREET TO MARIN BOULEVARD AS A ONE WAY WEST AND REPEALING THE ONE WAY WEST ON SECOND STREET FROM WASHINGTON STREET TO MARIN BOULEVARD

The change in the travel direction on each of these streets will increase traffic and pedestrian safety as well as improve the traffic circulation in the downtown neighborhood.

I certify that all the facts presented herein are accurate.

Director of Traffic & Transportation

Signature of Department Director

10/6/15

Date

10/7/15

Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 15.140
TITLE: 3.E OCT 14 2015 4.E OCT 14 2015

An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) amending Section 332-5(One-Way Streets) of the Jersey City Code designating Bay Street from Warren Street to Marin Boulevard as a one way west and repealing the one way west on Second Street from Washington Street to Marin Boulevard.

RECORD OF COUNCIL VOTE ON INTRODUCTION OCT 14 2015 7-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	ABSENT			RIVERA	✓		
RAMCHAL	ABSENT			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING OCT 28 2015 9-0											
Councilperson <u>COLEMAN</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE OCT 28 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on OCT 14 2015
Adopted on second and final reading after hearing on OCT 28 2015

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on OCT 28 2015

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date OCT 28 2015

APPROVED:

Steven M. Fulop, Mayor

Date OCT 30 2015

Date to Mayor OCT 29 2015

City Clerk File No. Ord. 15.141

Agenda No. 3.F 1st Reading

Agenda No. 4.F. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.141

TITLE:

ORDINANCE SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES) OF THE JERSEY CITY CODE TO CREATE A NEW CLASSIFIED POSITION FOR CHIEF PROJECT COORDINATOR/CONSTRUCTION

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

A. The following supplements to Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code are adopted:

Labor Grade

Title

*

Chief Project Coordinator/Construction

B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

C. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

D. This ordinance shall take effect at the time and in the manner as provided by law.

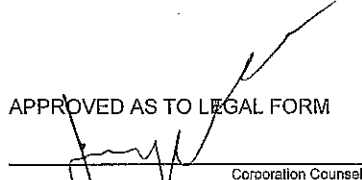
E. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All new material is underlined; words in [brackets] are omitted.
For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

**Pursuant to N.J.S.A. 40:69A-43a.*

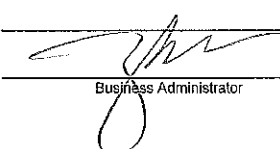
NR/he
10/05/15

APPROVED AS TO LEGAL FORM


Corporation Counsel

APPROVED:

APPROVED:


Business Administrator

Certification Required ☐
Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

**ORDINANCE SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES)
OF THE JERSEY CITY CODE TO CREATE A NEW CLASSIFIED POSITION FOR CHIEF
PROJECT COORDINATOR/CONSTRUCTION**

Initiator

Department/Division	Human Resources	Workforce Management
Name/Title	Nancy Ramos	Director of Human Resources
Phone/email	(201) 547-5217	nancyr@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

To establish a New Title for Kimberly EL-Sadek in accordance with New Jersey Department of Civil Services Commission Rules and Regulations.

I certify that all the facts presented herein are accurate.



Signature of Department Director

9/30/15

Date

NEW TITLE

TITLE: Chief Project Coordinator /Construction

Union: MGT

Labor Grade: 28

Min: \$18,200 **Max:** \$61,020

Department: HEDC

Division: Economic Development

Acct# 930

Employee: Kimberly J. EL-SADEK

30 Dr. Martin Luther King Jr. Blvd

Newark, NJ 07104

Salary: \$60,000.00

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 15.141
TITLE: 3.F OCT 14 2015 4.F OCT 28 2015

Ordinance supplementing Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code to create a new classified position for Chief Project Coordinator/Construction.

RECORD OF COUNCIL VOTE ON INTRODUCTION OCT 14 2015 7-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	ABSENT			RIVERA	✓		
RAMCHAL	ABSENT			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING OCT 28 2015 9-0											
Councilperson <u>WATTERMAN</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

YVONNE BALZER

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE OCT 28 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on OCT 14 2015
OCT 28 2015

Adopted on second and final reading after hearing on _____

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on OCT 28 2015

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr.
Rolando R. Lavarro, Jr., Council President

Date OCT 28 2015

APPROVED:

Steven M. Fulop
Steven M. Fulop, Mayor

Date OCT 30 2015

Date to Mayor OCT 29 2015

City Clerk File No. Ord. 15.142

Agenda No. 3.6 1st Reading

Agenda No. 4.6 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.142

TITLE:

**ORDINANCE SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS
AND ORDINANCES) OF THE JERSEY CITY CODE TO CREATE A NEW
CLASSIFIED POSITION FOR ROAD INSPECTOR**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

A. The following supplements to Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code are adopted:

Labor Grade

Title

*

Road Inspector

B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

C. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

D. This ordinance shall take effect at the time and in the manner as provided by law.

E. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All new material is underlined; words in [brackets] are omitted.
For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

**Pursuant to N.J.S.A. 40:69A-43a.*

NR/he
9/30/15

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required ☐
Not Required ☐

APPROVED: _____

APPROVED: _____
Business Administrator

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES) OF THE JERSEY CITY CODE TO CREATE A NEW CLASSIFIED POSITION FOR ROAD INSPECTOR

Initiator

Department/Division	Human Resources	Workforce Management
Name/Title	Nancy Ramos	Director of Human Resources
Phone/email	(201) 547-5217	nancyr@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

To establish a New Tile for Hector A. Velasquez in accordance with New Jersey Department of Civil Service Commission Rules and Regulations

I certify that all the facts presented herein are accurate.


Signature of Department Director

9/28/15
Date

New Title

Title: Road Inspector

Department: Administration

Division: Architecture, Traffic & Transportation

Labor Grade: 9

Min. \$10,150

Max. \$41,955

Union: Local 245

**Hector Velasquez
25 Pierce Avenue
Jersey City, NJ 07307**

Salary: \$41,000

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 15.142
 TITLE: 3.G OCT 14 2015 4.G **OCT 28 2015**

Ordinance supplementing Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code to create a new classified position for Road Inspector.

RECORD OF COUNCIL VOTE ON INTRODUCTION OCT 14 2015 7-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	ABSENT			RIVERA	✓		
RAMCHAL	ABSENT			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING OCT 28 2015 9-0											
Councilperson <u>WATTERMAN</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

YVONNE BAKER
JESSICA ABDELNABBI

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted _____											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE OCT 28 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **OCT 14 2015**
 Adopted on second and final reading after hearing on **OCT 28 2015**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **OCT 28 2015**

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date **OCT 28 2015**

APPROVED:

Steven M. Fulop, Mayor

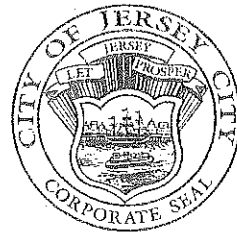
Date **OCT 30 2015**

Date to Mayor **OCT 29 2015**

City Clerk File No. Ord. 15.143

Agenda No. 3.H 1st Reading

Agenda No. 4.H. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.143

TITLE:

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE POWERHOUSE ARTS DISTRICT REDEVELOPMENT PLAN REHABILITATION SUBDISTRICT TO ACCOMMODATE THE ADAPTIVE REUSE OF THE HISTORIC MERCHANTS' REFRIGERATION COMPANY BUILDING FOR SELF-STORAGE AND FIRST FLOOR COMMERCIAL SPACE, WHICH PROPERTY IS LOCATED AT 133 SECOND STREET AND DESIGNATED AS BLOCK 11502, LOT 1 ON THE TAX MAP OF THE CITY OF JERSEY CITY

WHEREAS, the Powerhouse Arts District redevelopment study area was determined to be "an area in need of redevelopment" on July 14, 2004 pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("LRHL"); and

WHEREAS, in order to stimulate redevelopment within the Powerhouse Arts District redevelopment area ("PAD Redevelopment Area"), the City Council of the City of Jersey City ("City Council") adopted the Powerhouse Arts District Redevelopment Plan ("Redevelopment Plan") on October 27, 2004 and has periodically amended the Redevelopment Plan; and

WHEREAS, the City Council seeks to promote the continuing redevelopment of the area while preserving the historic character of significant structures by amending the standards and regulations within the Redevelopment Plan; and

WHEREAS, located within the PAD Redevelopment Plan Area is a building known as the Merchants' Refrigerating Company Warehouse located at 133 Second Street and designated as Block 11503, Lot 1 on the Tax Map of the City of Jersey City that was designated a local historic landmark; and

WHEREAS, on September 24, 2015, the City Council adopted Resolution Number 15.671 pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. directing the Planning Board of the City of Jersey City ("Planning Board") to prepare an amendment to the Redevelopment Plan that would permit self-storage use within the structure located on the Property along with any other amendments to the Redevelopment Plan that the Planning Board may deem appropriate to preserve the historic character of the structure in accordance with sound planning objectives; and

WHEREAS, in response to that directive, the owner of the Property, PS First Hudson Urban Renewal, LLC ("PS"), submitted a proposed amendment to the Redevelopment Plan ("Amendment") to the Planning Board for its review and consideration; and

WHEREAS, on October 6, 2015, a public hearing, noticed in accordance with the terms of the Redevelopment Plan, was conducted before the Planning Board to consider the Amendment; and

WHEREAS, Peter G. Steck, P.P., an expert in professional planning, presented the Amendment to the Planning Board; and

WHEREAS, having considered the Amendment and testimony presented in support thereof by Peter G. Steck, P.P. and the City's Planning Staff, the Planning Board made detailed findings of fact in support of the adoption of the Amendment and voted to recommend to the City Council that it adopt the Amendment;

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING
AMENDMENTS FOR THE ADDITION OF SHORT-TERM RENTAL USE TO CHAPTER 345
ARTICLE I (DEFINITIONS) AND ARTICLE V, SECTION 60 – SUPPLEMENTARY ZONING**

WHEREAS, the Planning Board memorialized its recommendation in a Resolution adopted on October 6, 2015 ("Memorializing Resolution") and transmitted the Amendment to the City Council for its adoption; and

WHEREAS, a copy of the Amendment text is attached hereto as Exhibit "A" and made a part hereof and is available for public inspection at the Office of the City Clerk, City Hall, 280 Grove Street, Jersey City, New Jersey; and

WHEREAS, a copy of the Planning Board's Memorializing Resolution is attached hereto as Exhibit "B" and the Planning Board's findings are adopted by the City Council and incorporated herein as follows:

1. Self-storage use is an appropriate adaptive reuse of the existing Merchants' Refrigeration Company Warehouse building that accommodates preservation of the historic warehouse building. Since the time that it was constructed, circa 1902, the building has continuously been utilized as a storage facility. Amending the Redevelopment Plan to allow self-storage as a permitted principal use on the Property would encourage preservation of the historic building.
2. Self-storage use is compatible with and supportive of the recent residential development in close proximity to the Property. Over 12,000 residential units have been constructed, are in the process of being constructed or were approved for construction in the blocks proximate to the Property. Self-storage provides an amenity supportive of the residential development while preserving the "living" history of the district.
3. A caretakers unit, retail sales of storage-related products and management offices are uses customarily associated with the principal self-storage use and are appropriate for incorporation into the Redevelopment Plan as an accessory use thereto.
4. The mandate to provide at least three separate corner-oriented first floor commercial spaces totaling at least twelve percent of the first floor area of the building is appropriate planning as it will promote additional pedestrian activity in the neighborhood.
5. Self-storage facilities are recognized as very low traffic generators and require few on-site parking spaces compared to other uses. A minimum of 20 parking spaces for the self-storage facility use and no requirement for the commercial uses is a reasonable standard given the nature of the adaptive reuse of the building and the proximity of the Property to mass transit.
6. To allow for self-storage use and first floor commercial uses on the Property as expressed herein, the City Council finds certain requirements of the Redevelopment Plan are inappropriate for an adaptive reuse of the Property, as detailed in the Amendment.
7. The City Council also finds that specific signage requirements for self-storage and first floor commercial use on this Property should be adopted, as detailed in the Amendment. The existing building occupies an entire development block and signage should differ from what would otherwise be permitted by the Redevelopment Plan for this Property. For effective adaptive reuse, additional signage is appropriate given the informational and wayfinding needs of a historic building that occupies an entire block such as this.
8. The City Council finds that there are sound planning reasons as detailed above for the adoption of the Amendment.

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING
AMENDMENTS FOR THE ADDITION OF SHORT-TERM RENTAL USE TO CHAPTER 345
ARTICLE I (DEFINITIONS) AND ARTICLE V, SECTION 60 – SUPPLEMENTARY ZONING**

9. The City Council finds the Amendment to be consistent with portions of the Master Plan and inconsistent with other portions of the Master Plan.
10. At the time the 2000 Master Plan was adopted by the Planning Board, the PAD Redevelopment Area did not exist. Rather, this portion of the City was referred to as the Artists' Work and Live District Overlay or WALDO that promoted the development of an Artist District in addition to the underlying industrial and warehousing I-2 Zone.
11. The 2000 Historic Preservation Element of the Master Plan emphasized the benefits of historic preservation finding, "[t]he civic benefits of preservation include stabilization of potentially deteriorating older neighborhoods and housing stock, preservation of past culture and ways of life and maintenance of 'living' history. Economic benefits include an increase in property values and the property tax base, job creation through rehabilitation and restoration and the indirect benefits of cultural tourism through increased local retail, restaurants and hotel activity."
12. Thereafter, in 2004 the PAD Redevelopment Area was designated an "area in need of redevelopment" by the City Council and the Redevelopment Plan was adopted to control the zoning for the PAD Redevelopment Area.
13. A year later, the Planning Board prepared the 2005 Re-Examination Report of the City's Master Plan. This Re-Examination Report made a specific determination that the Warehouse District where the subject Property is located be added to the City's list of historic districts to deal with the functional obsolescence of the area for warehousing and trucking and conversion to residential uses with an emphasis on arts district economic development. Although it was done in 2004, due to a technicality in the makeup of the Historic Commission's appointments, the Warehouse District's designation was ruled invalid by the Superior Court in 2007.
14. The 2011 Re-Examination Report, however, determined that the objective of including the Warehouse District on the City's list of historic districts could not be achieved. Therefore, buildings, area features and structures within the original district would need to be evaluated individually, based on historic context and individual significance. In 2009, the City commissioned a study to analyze individual buildings for landmark status. The study concluded that several buildings, including the Merchants' Refrigerating Company Warehouse met the criteria and recommended adding the building to the list of individual historic landmarks.
15. On March 10, 2015, the Planning Board approved an amendment to the entire Historic Preservation Plan Element of the Master Plan. The Historic Preservation Plan Element amendment reiterated the prior benefits of historic preservation and added that a study prepared for the New Jersey Historic Trust by the Rutgers University Center for Urban Policy Research echoed the findings of many other studies on historic preservation. Those studies generally concluded that preservation increases property values, creates more jobs than new construction, and meets broad social objectives of funneling resources to existing developed areas. The Historic Preservation Plan amendment declared that in Jersey City unprotected historic resources and neighborhoods have become increasingly threatened by inappropriate renovations, tear-downs, and new, incompatible construction. Accordingly, the amendment recognized locally designated landmarks for protection, including but not limited to Merchants' Refrigerating Company Warehouse.

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING
AMENDMENTS FOR THE ADDITION OF SHORT-TERM RENTAL USE TO CHAPTER 345
ARTICLE I (DEFINITIONS) AND ARTICLE V, SECTION 60 – SUPPLEMENTARY ZONING**

16. The City Council finds that the Amendment is inconsistent with the Master Plan insofar as the Amendment does not promote the conversion of warehouse space to residential use with an emphasis on arts district economic development, but it is consistent with the Master Plan and Historic Preservation Plan Element by encouraging the preservation of locally designated historic structures. The Amendment also prevents inappropriate renovations to the existing structure on the Property that would likely be needed for residential use.
17. Recent events in the City also make the Amendment appropriate for adoption. On January 26, 2015, the City Council passed Ordinance 15.025, which amended the definitions of the City's Land Development Ordinance. Specifically, a definition for "self-storage facilities" was incorporated into the definitions section of the Land Development Ordinance to distinguish it from "retail" use and enable the City to permit self-storage facilities in appropriate places while ensuring main streets and small retail areas will not be affected.
18. The City Council finds that the self-storage is an appropriate reuse of the Merchants' Refrigeration Company building on the Property along with first floor commercial uses and that there are sound planning reasons to permit self-storage use within the existing building as detailed above.

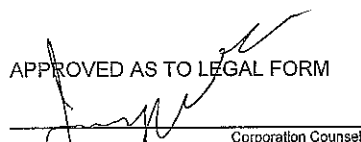
NOW, THEREFORE, BE IT ORDAINED that the Amendment recommended for adoption by the Planning Board of the City of Jersey City, attached hereto as Exhibit "A" and made a part hereof, be and is hereby, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is hereby directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

 - ACTING
Robert D. Cotter, PP, FAICP
Director of Planning

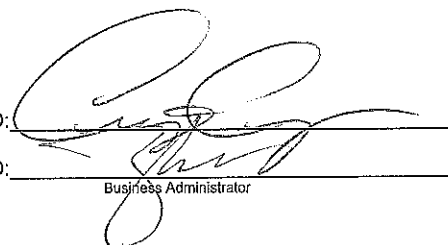
APPROVED AS TO LEGAL FORM


Corporation Counsel

Certification Required ☐
Not Required ☐

APPROVED:

APPROVED:


Business Administrator

ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution/ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution/ordinance.

Full Title of Ordinance/Resolution

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE POWERHOUSE ARTS DISTRICT REDEVELOPMENT PLAN REHABILITATION SUBDISTRICT TO ACCOMMODATE THE ADAPTIVE REUSE OF THE HISTORIC MERCHANTS' REFRIGERATION COMPANY BUILDING FOR SELF-STORAGE AND FIRST FLOOR COMMERCIAL SPACE, WHICH PROPERTY IS LOCATED AT 133 SECOND STREET AND DESIGNATED AS BLOCK 11502, LOT 1 ON THE TAX MAP OF THE CITY OF JERSEY CITY

Initiator

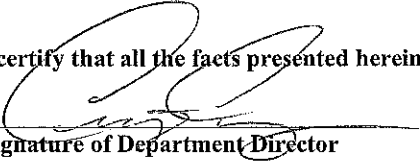
Department/Division	HEDC	City Planning
Name/Title	Robert Cotter, PP, FAICP	Director
	Jeff Wenger, PP, AICP	Principal Planner
	Matt Ward, PP, AICP	Senior Planner
Phone/email	201-547-5010	bobbyc@jcnj.org / jeff@jcnj.org / mward@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Purpose

This ordinance amends the Rehabilitation Subdistrict of the Powerhouse Redevelopment Plan to include self-storage as a permitted use and other associated amendments including but not limited to parking standards, ground floor retail and one caretaker unit. Self-storage use is an appropriate adaptive reuse of the existing Merchants' Refrigeration Company Warehouse building that accommodates preservation of the historic warehouse with the least amount of disruption to the building's original architectural integrity. Since the time that it was constructed, circa 1902, the building has continuously been utilized as a storage facility.

I certify that all the facts presented herein are accurate.


Signature of Department Director

10/8/15
Date

SUMMARY STATEMENT

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE POWERHOUSE ARTS DISTRICT REDEVELOPMENT PLAN REHABILITATION SUBDISTRICT TO ACCOMMODATE THE ADAPTIVE REUSE OF THE HISTORIC MERCHANTS' REFRIGERATION COMPANY BUILDING FOR SELF-STORAGE AND FIRST FLOOR COMMERCIAL SPACE, WHICH PROPERTY IS LOCATED AT 133 SECOND STREET AND DESIGNATED AS BLOCK 11502, LOT 1 ON THE TAX MAP OF THE CITY OF JERSEY CITY

This ordinance amends the Rehabilitation Subdistrict of the Powerhouse Redevelopment Plan to include self-storage as a permitted use and other associated amendments including but not limited to parking standards, ground floor retail and one caretaker unit. Self-storage use is an appropriate adaptive reuse of the existing Merchants' Refrigeration Company Warehouse building that accommodates preservation of the historic warehouse with the least amount of disruption to the building's original architectural integrity. Since the time that it was constructed, circa 1902, the building has continuously been utilized as a storage facility.

EXHIBIT "A"
AMENDMENTS TO THE POWERHOUSE ARTS DISTRICT REDEVELOPMENT PLAN

SECTION VII. SPECIFIC DISTRICT LAND USE REGULATIONS

A. Permitted Principal Uses

Page 27 (Page numbers are approximate and refer to pagination in the Plan amended October 23, 2013.)

Add a new item 18 in Section VII.A. Specific District Land Use Regulations, Permitted Principal Uses as follows:

18. Self storage facilities as an adaptive reuse of an existing building limited to Block 11503, Lot 1 (f/k/a Block 142, Lot A), 133 Second Street, Jersey City (also known as 142-144 First Street, Jersey City) provided such self storage facilities are in combination with at least three separate corner-oriented first floor commercial spaces and that the total area of all such first floor commercial space is at least 12 percent of the gross floor area of the first floor of the entire building. Provided further that 30 percent of the linear ground floor street frontage of the building shall be commercial space, exclusive of ground floor street frontage necessary for building support services, such as lobbies, garage entrances, utilities and loading areas. For the purposes of this section, commercial space may consist of art galleries, retail sales and services, restaurants, personal health, recreation, or improvement services or instruction, and bars all as otherwise permitted in the Rehabilitation subdistrict.

B. Permitted Accessory Uses

Page 27

Add a new item 13 in Section VII.B. Specific District Land Use Regulations, Permitted Accessory Uses as follows:

13. One caretaker dwelling unit, retail sales of storage-related products, and management offices, all accessory to self storage facilities in an existing building in Block 11503, Lot 1.

I. Off-Street Parking Standards

Page 32

Add a new row in the table in Section VII.I. Specific District Land Use Regulations, Off-Street Parking Standards as follows:

PRINCIPAL USE	REHABILITATION, Minimum where feasible	NEW CONSTRUCTION, Minimum Required	Maximum for Rehabilitation and New Construction
Self storage facilities in existing buildings with corner commercial uses.	Minimum of 20 parking spaces for self storage facilities which includes the requirement for an accessory caretaker dwelling unit and management and sales office. No parking is required for corner commercial uses.		30 spaces

SECTION VIII SPECIFIC ZONING DISTRICT DEVELOPMENT REGULATIONS

A. Rehabilitation Zone

3. Development Standards for Specific Buildings and Lots

i. Block 11503, Lot 1, AKA Merchants Refrigeration Company

Page 38

Amend and supplement Section VIII.A.3.i. Specific Zoning District Development Regulations for the Rehabilitation Zone for Specific Buildings and Lots as follows:

i. Block 11503, Lot 1 (formerly Block 142, Lot A), AKA Merchants Refrigeration Company, ca. 1902; Contributing. Remove exterior paint, if appropriate, by the gentlest means possible, avoiding damage to underlying brick. Unblock existing window openings. New window openings may be added if necessary, provided that the new openings reflect the rhythm of the historic window placement along the First or Second Street sides of the building. Rehabilitate loading docks and awnings. The "ghost sign" bearing original company name along sixth floor of the Second Street façade should be retained and, where necessary, repaired appropriately so that the lettering is discernible through shadow and different texture. Center courtyards and atria permitted. Permit a one story penthouse, setback a minimum of one column bay from the building edge on all facades, not visible from an elevation of five feet above the sidewalk on the opposite side of the public right-of-way.

Adaptive reuse of the existing building as predominantly a self-storage facility shall also be subject to the following provisions and restrictions:

- Section V, Site Development Requirements, Subsection J, Parking Structure Requirements shall not apply to parking proposed within the existing building.
- Section V, Site Development Requirements, Subsection K.2., Circulation Plan and Street Requirements, shall not apply to the extent that the existing loading platforms and canopies within the public right-of-way may be modified to accommodate repairs, replacement, adaptive reuse, handicapped person accessibility, and safety modifications.
- Section VI, Design Requirements of All Developments, Subsection F. Signage shall not apply. Permitted signage for a self-storage facility shall comply with the following:
 1. Two blade signs referencing the self-storage user at the two corners of the building closest to Second Street, each not to exceed a sign area of 67 square feet for each face of a two-sided sign and each to have halo internal illumination of the lettering.
 2. One blade sign referencing a vehicular entrance location not to exceed a sign area of 58 square feet for each face of a two-sided sign and not to exceed an actual sign face area of 30 square feet for each face which shall be externally illuminated.
 3. One blade sign referencing a vehicular exit location not to exceed a sign area of 14 square feet for each face of a two-sided sign which shall be externally illuminated.
 4. Up to five wayfinding wall signs indicating generic information such as loading, office, and car entry locations provided that no one sign shall exceed a sign area of 10 square feet and provided that the loading signs shall be externally illuminated and the office and car entry signs may be internally illuminated.

5. One suspended overhead vehicle entry clearance bar sign not to exceed a lettering area of 2.5 square feet.
 6. One canopy-mounted sign indicating the location of the office of the self-storage facility not to exceed a sign area of 18 square feet and to have internally illuminated channel letters.
 7. Each separately demised commercial space shall be permitted one (1) wall sign per street frontage in accordance with Section VI. Subsection F. except that in place of a permitted wall sign, a commercial tenant shall be permitted to have a sign measuring the length of the store front it is associated with, with individual internally illuminated letters that measure no greater than twenty-four inches in height, mounted on a loading dock canopy.
- Section VI. Design Requirements of All Developments, Subsection I., Design Criteria for Work/Live Units and Work/Live Artist Studios, shall not apply to a caretaker dwelling unit.
 - Section VII. Required Principal Uses within each Project, Subsection C., Ground Floor Street Frontage Requirements shall not apply.
 - Section VII. Specific District Land Use Regulations, Subsection G., Non-Residential Space Requirement shall not apply.
 - Section VII. Specific District Land Use Regulations, Subsection H., Ground Floor Use Requirements shall not apply.
 - The dimensional standards for parking stalls and parking space access aisles may be waived by the Planning Board for specific locations to accommodate existing structural columns where an applicant demonstrates that parking space accessibility is not unreasonably impaired by the location and dimension of such existing structural columns.

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 15.143
TITLE: 3.H OCT 14 2015 4.H OCT 28 2015

Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Powerhouse Arts District Redevelopment Plan Rehabilitation Subdistrict to accommodate the adaptive reuse of the Historic Merchants' Refrigerator Company building for self-storage and first floor commercial space, which property is located at 133 Second Street and designated as Block 11502, Lot 1 on the tax map of the City of Jersey City

RECORD OF COUNCIL VOTE ON INTRODUCTION OCT 14 2015 7-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	ABSENT			RIVERA	✓		
RAMCHAL	ABSENT			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING OCT 28 2015 9-0											
Councilperson <u>COLEMAN</u> moved, seconded by Councilperson <u>RAMCHAL</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE OCT 28 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on OCT 14 2015
Adopted on second and final reading after hearing on OCT 28 2015

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on OCT 28 2015

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date OCT 28 2015

APPROVED:

Steven M. Fulop, Mayor

Date OCT 30 2015

Date to Mayor OCT 29 2015

City Clerk File No. Ord. 15.144

Agenda No. 3.1 1st Reading

Agenda No. 4.1 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.144

TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING THE SCATTER SITE REDEVELOPMENT PLAN

WHEREAS, the Municipal Council seeks renewed investment and development within the redevelopment area; and

WHEREAS, the Scatter Site Redevelopment Plan was written to amend, rename and supersede the Vacant Buildings Redevelopment Plan that was most recently amended on September 09, 2015; and

WHEREAS, at a public meeting held on August 19, 2015, the Municipal Council of the City of Jersey City adopted resolution 15-582, declaring the New Vacant Buildings Study Area as an "area in need of redevelopment" which was recommended by the Jersey City Planning Board at its regular meeting of July 21st, 2015; and

WHEREAS, 18 properties identified as vacant in the New Vacant Buildings Study Area, excepting 208 C. Columbus Drive, are to be added to the Scatter Site Redevelopment Plan; and

WHEREAS, all properties hereby removed from the Vacant Buildings Redevelopment Plan shall be regulated according to the Jersey City Zoning Map.

WHEREAS, the attached Scatter Site Redevelopment Plan has been reviewed by the Jersey City Planning Board at its meeting of October 6, 2015; and

WHEREAS, the Planning Board voted favorably to recommend adoption of the Scatter Site Redevelopment Plan to the Municipal Council; and

WHEREAS, a copy of the Scatter Site Redevelopment Plan is attached hereto and made a part hereof, and is available for public inspection at the Offices of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ; and

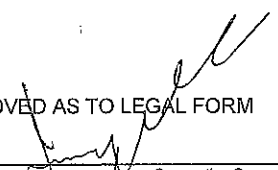
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the attached Scatter Site Redevelopment Plan be, and hereby is, adopted as recommended by the Jersey City Planning Board.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.


Robert D. Cotter, PP, FAICP, Director
Division of City Planning

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____

APPROVED: _____

Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution/ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution/ordinance.

Full Title of Ordinance/Resolution**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING THE SCATTER SITE REDEVELOPMENT PLAN****Initiator**

Department/Division	HEDC	City Planning
Name/Title	Robert Cotter, PP, FAICP	Director
	Matt Ward, PP, AICP	Senior Planner
Phone/email	201-547-5010	bobbyc@jcnj.org / mward@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Purpose

This ordinance adopts the Scatter Site Redevelopment Plan. The Redevelopment Area consists of properties identified in the New Vacant Buildings Study Area that was adopted by the Municipal Council by resolution 15-582 in August 2015. The plan area includes those 18 properties identified in the aforementioned study area and resolution which are scattered throughout the City of Jersey City, as well as 28 sites already included in the Plan. All properties at the time of designation were determined to be vacant. The objective of this Plan is to reduce the amount of vacant buildings citywide. This plan shall amend, rename and supersede the Vacant Buildings Redevelopment Plan and all non-vacant properties listed in the Vacant Buildings Redevelopment Plan shall be removed.

I certify that all the facts presented herein are accurate.


Signature of Department Director


Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 15.144
TITLE: 3.1 OCT 14 2015 4.1 OCT 28 2015

Ordinance of the Municipal Council of the City of Jersey City
adopting the Scatter Site Redevelopment Plan.

RECORD OF COUNCIL VOTE ON INTRODUCTION OCT 14 2015 7-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	ABSENT			RIVERA	✓		
RAMCHAL	ABSENT			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING OCT 28 2015 9-0											
Councilperson <u>WATTERMANN</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

YVONNE BACER

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMANN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE OCT 28 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on OCT 14 2015
Adopted on second and final reading after hearing on OCT 28 2015

This is to certify that the foregoing Ordinance was adopted by
the Municipal Council at its meeting on OCT 28 2015

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr.
Rolando R. Lavarro, Jr., Council President

Date OCT 28 2015

APPROVED:

Steven M. Fulop
Steven M. Fulop, Mayor

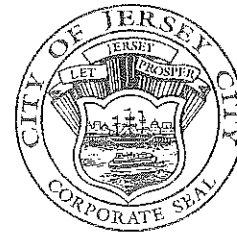
Date OCT 30 2015

Date to Mayor OCT 29 2015

City Clerk File No. Ord. 15.145

Agenda No. 3.J 1st Reading

Agenda No. 4.J 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.145

TITLE:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4 (PAID SICK TIME) OF THE JERSEY CITY MUNICIPAL CODE

COUNCIL offered and moved adoption of the following Ordinance:

WHEREAS, on September 25, 2013, Jersey City became the first city in New Jersey to mandate that employers provide paid sick leave to their employees; and

WHEREAS, the example set by Jersey City has been copied by numerous municipalities throughout the State; and

WHEREAS, some of these municipalities have adopted ordinances which provide more generous paid sick benefits than those provided for in Jersey City's Paid Sick Time Ordinance; and

WHEREAS, in an effort to ensure consistency throughout the State regarding paid sick benefits, Jersey City wishes to amend its Paid Sick Time Ordinance to align it with the other Paid Sick Time Ordinances throughout the State; and

WHEREAS, Jersey City also wishes to clarify and supplement some of language contained in its Paid Sick Time Ordinance so as to make it clearer to prospective employers and employees how the policy applies.

NOW, THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Jersey City that Chapter 4 (Paid Sick Time) be amended to read:

CHAPTER 4 - PAID SICK TIME

§ 4-1. - Definitions.

For the purposes of this chapter, the following terms shall have the meanings indicated:

CALENDAR YEAR - A regular and consecutive twelve-month period, as determined by an employer.

DEPARTMENT - The Department of Health and Human Services.

EMPLOYEE(S) - Employee(s) as defined in N.J.S.A. 34:11-56a1(h) ~~including an employee of a franchise(s) or business(s) owner located in Jersey City, including part-time and temporary employees,~~ who works in Jersey City for at least eighty (80) hours in a calendar year. Employee(s) for purposes of this Chapter includes any individual engaged in work activity that would be considered "employment" under the federal Fair Labor Standards Act, 29 U.S.C. §201 et seq., and any applicable U.S. Department of Labor Guidelines but does not include any person employed by any governmental entity or instrumentality of the State of New Jersey or any political subdivision thereof, including any New Jersey school district or Board of Education, and including Rutgers, The State University of New Jersey, and or any subdivisions of Rutgers

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4 (PAID SICK TIME) OF THE JERSEY CITY MUNICIPAL CODE

University, or any person who is a member of a construction union and is covered by a collective bargaining agreement negotiated by that union.

EMPLOYER - Any entity as defined by N.J.S.A. 34:11-56a1(g) except that Employer does not include the United States government or any Federal agency, entity or instrumentality of the Federal government, the State of New Jersey, including the legislature, the judiciary or any agency, entity or instrumentality of the State of New Jersey, any political subdivision of the State of New Jersey, including any school district or Board of Education, or Rutgers, The State University of New Jersey, or any subdivisions of Rutgers University.

FAMILY MEMBER:

- (1) A biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, a child of a civil union partner, or a child to whom the employee stands in loco parentis;
- (2) A biological, foster, stepparent or adoptive parent or legal guardian of an employee or an employee's spouse, domestic partner or civil union partner or a person who stood in loco parentis when the employee was a minor child;
- (3) A person to whom the employee is legally married under the laws of New Jersey or any other state or with whom the employee has entered into a civil union;
- (4) A grandparent or spouse, civil union partner or domestic partner of a grandparent;
- (5) A grandchild;
- (6) A sibling; or
- (7) A domestic partner of an employee as defined in N.J.S.A. 26:8A-3 et seq.

HEALTH CARE PROFESSIONAL - Any person licensed under Federal or New Jersey law to provide medical or emergency services, including but not limited to doctors, nurses and emergency room personnel.

CONSTRUCTION UNION - means an organization that represents, for purposes of collective bargaining, employees involved in the performance of construction, reconstruction, demolition, alteration, custom fabrication, or repair work and who are enrolled or have graduated from a registered apprenticeship program.

PAID SICK TIME - Time that is compensated at the same hourly rate and with the same benefits, including health care benefits, as the employee normally earns during hours worked and is provided by an employer to an employee for the purposes described in Subsections 4-3.A(1)-(11) of this chapter, but in no case shall the hourly wage be less than that provided under N.J.S.A. 34:11-56a.

REGISTERED APPRENTICESHIP PROGRAM - means an apprenticeship program that is registered with and approved by the United States Department of Labor and which meets not less than two of the following requirements: (A) has active, employed, registered apprentices; (B) has graduated apprentices to journey worker status during a majority of the years that the program has been in operation; or (C) has graduated apprentices to journey worker status during three of the immediately preceding five years, provides each trainee with combined classroom and on-the-job training under the direct and close supervision of a highly skilled worker in an

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4 (PAID SICK TIME) OF THE JERSEY CITY MUNICIPAL CODE

occupation recognized as an apprenticeable trade and meets the program performance standards of enrollment and graduation under 29 C.F.R. Part 29, section 29.63.1.

RETALIATION - The denial of any right guaranteed under this chapter and any threat, discipline, discharge, suspension, demotion, reduction of hours, or any other adverse action against an employee for the exercise of any right guaranteed herein.

~~UNPAID SICK TIME - Time that is allowed and accrued in the same manner as paid sick time however, but for which leave an employee is neither penalized nor compensated.~~

§ 4-2. - Purpose.

Purposes of this chapter are:

- (1) To diminish public and private health care costs and promote preventive health services in Jersey City by enabling workers to seek early and routine medical care for themselves and their family members;
- (2) To protect the public's health in Jersey City by reducing the spread of contagious diseases;
- (3) To promote the economic security and stability of workers and their families;
- (4) To protect employees in Jersey City from losing their jobs or facing workplace discipline while they use paid sick time to care for themselves or their families;
- (5) To safeguard the public welfare, health, safety and prosperity of the people of Jersey City; and
- (6) To accomplish the purposes described in paragraphs (1)–(5) in a manner that is feasible for employers.

§ 4-3. - Application.

This chapter requires all those employed within the City of Jersey City to accrue either paid or unpaid sick time from their employer as mandated by this chapter utilizing the formula applied herein.

Individuals who work for employers who employ ten (10) or more employees shall accrue compensated sick time up to a maximum of forty (40) hours per year.

Individuals who work for employers who employ less than ten (10) employees shall accrue compensated sick time up to a maximum of twenty-four (24) hours per year. In addition, once such individuals have accrued twenty-four (24) hours of compensated sick time, they shall accrue unpaid sick time up to a maximum of sixteen (16) hours per year. However, this sick time need not be compensated.

Taking of sick time, whether compensated or not shall not be the basis of an adverse employment action.

A. Accrual of Paid Sick Time.

- (1) Employees shall accrue a minimum of one (1) hour of paid or unpaid sick time for every thirty (30) hours worked subject to the limits set forth below in A(2) and A(3).
- (2) Employers who employ ten (10) or more employees for compensation are not required to provide more than forty (40) hours of paid sick time in a calendar year. In determining the number of employees performing work for an employer, all employees performing work for compensation on a full-time, part-time, or temporary basis shall be counted, provided that where the number of employees who work for an employer for compensation fluctuates, the number of employees

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4 (PAID SICK TIME) OF THE JERSEY CITY MUNICIPAL CODE

may be determined for the current calendar year based upon the average number of employees who worked for compensation during the preceding calendar year.

Employers who employ less than ten (10) employees for compensation are not required to provide more than twenty-four (24) hours of paid sick time in a calendar year except for Employees who are child care workers, home health care workers and food service workers. For child care workers, health care workers and food service workers, Employers are required to provide up to 40 hours of paid sick time, so long as the hours are accrued in a calendar year as set forth elsewhere in this Section.

In determining the number of employees performing work for an employer, all employees performing work for compensation, whether on a full-time, part-time, or temporary basis shall be counted, provided that where the number of employees who work for an employer for compensation fluctuates, the number of employees may be determined for the current calendar year based upon the average number of employees who worked for compensation during the preceding calendar year.

- (3) Employees who are exempt from overtime requirements under 29 U.S.C. § 201 et seq. of the Federal Fair Labor Standards Act are assumed to work forty (40) hours in each work week for purposes of paid sick time accrual unless their normal work week is less than forty (40) hours, in which case paid sick time accrues based upon that normal work week.
- (4) Paid sick time as provided in this section begins to accrue at the commencement of employment.
- (5) Employees begin to accrue paid sick time on the first day of employment. Employees are entitled to use accrued paid sick time beginning on the ninetieth calendar day of their employment. After the ninetieth calendar day of employment, employees may use paid sick time as it is accrued.
- (6) Paid sick time is carried over to the following calendar year except that no employer is required to carry over more than forty (40) hours of paid sick time from one (1) calendar year to the next and nothing in this section entitles an employee to use more than forty (40) hours of paid sick time in a calendar year.
- (7) Any employer with a paid leave policy, such as a paid time off policy, that provides an amount of paid leave sufficient to meet the total annual accrual requirements of this section that may be used for the same purposes and under the same conditions as paid sick time under this chapter is not required to provide additional paid sick time.
- (8) Nothing in this section shall be construed as requiring financial or other reimbursement to an employee from an employer upon the employee's termination, resignation, retirement, or other separation from employment for accrued paid sick time that has not been used.
- (9) If an employee is transferred to a separate division, entity, or location, but remains employed by the same employer, the employee is entitled to all paid sick time accrued at the prior division, entity, or location and is entitled to use all paid sick time as provided in this section. If there is a separation from employment and the employee is rehired within six (6) months of separation, previously accrued paid sick time that had not been used shall be reinstated. Further, the employee is entitled to use accrued paid sick time and accrue additional paid sick time at the re-commencement of employment.
- (10) When a different employer succeeds or takes the place of an existing employer, all employees of the original employer who remain employed by the successor employer are entitled to all paid sick time accrued when employed by the original employer and are entitled to use all paid sick leave previously accrued.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4 (PAID SICK TIME) OF THE JERSEY CITY MUNICIPAL CODE

- (11) At its discretion, an employer may loan sick time to an employee in advance of accrual by such employee.
- (12) The requirements of this Ordinance shall not apply to employees covered by a collective bargaining agreement (CBA) to the extent that such requirements are expressly waived in the collective bargaining agreement in clear and unambiguous terms. With respect to Employees covered by a collective bargaining agreement in effect at the time of the effective date of this Ordinance, no provision of this Ordinance shall apply until the expiration of the collective bargaining agreement; however, if the terms of an expired collective bargaining agreement provide paid sick leave that is more generous than provided by this Ordinance, those terms of the expired collective bargaining agreement shall govern.

B. Accrual of Unpaid Sick Time.

- (1) ~~Employees who are not entitled to paid sick time under this ordinance, shall accrue a minimum of one (1) hour of unpaid sick time for every thirty (30) hours worked.~~
- (2) ~~Employers who employ less than ten (10) employees for compensation are not required to provide more than forty (40) hours of unpaid sick time in a calendar year. In determining the number of employees performing work for an employer, all employees performing work for compensation on a full-time, part-time, or temporary basis shall be counted, provided that where the number of employees who work for an employer for compensation fluctuates, business size may be determined for the current calendar year based upon the average number of employees who worked for compensation during the preceding calendar year.~~
- (3) ~~Employees who are exempt from overtime requirements under 29 U.S.C. § 201 et seq. of the Federal Fair Labor Standards Act are assumed to work forty (40) hours in each work week for purposes of unpaid sick time accrual unless their normal work week is less than forty (40) hours, in which case unpaid sick time accrues based upon that normal work week.~~
- (4) ~~Unpaid sick time as provided in this section begins to accrue at the commencement of employment.~~
- (5) ~~Employees begin to accrue unpaid sick time on the first day of employment. Employees are entitled to use accrued unpaid sick time beginning on the ninetieth calendar day of their employment. After the ninetieth calendar day of employment, employees may use unpaid sick time as it is accrued.~~
- (6) ~~Unpaid sick time is carried over to the following calendar year except that no employer is required to carry over more than forty (40) hours of unpaid sick time from one (1) calendar year to the next and nothing in this section entitles an employee to use more than forty (40) hours of unpaid sick time in a calendar year.~~
- (7) ~~Any employer with a sick leave policy, such as a time off policy, that provides an amount of sick leave sufficient to meet the total annual accrual requirements of this section that may be used for the same purposes and under the same conditions as sick time under this chapter is not required to provide additional sick time.~~
- (8) ~~Nothing in this section shall be construed as requiring financial or other reimbursement to an employee from an employer upon the employee's termination, resignation, retirement, or other separation from employment for accrued sick time that has not been used.~~
- (9) ~~If an employee is transferred to a separate division, entity, or location, but remains employed by the same employer, the employee is entitled to all unpaid sick time accrued at the prior division, entity, or location and is entitled to use all unpaid sick time as provided in this section. If there is a separation from employment and the employee is rehired within six (6) months of separation, previously accrued unpaid sick time that had not been used shall be reinstated. Further, the employee is entitled to use accrued unpaid sick time and accrue additional unpaid sick time at the re-commencement of employment.~~

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4 (PAID SICK TIME) OF THE JERSEY CITY MUNICIPAL CODE

- ~~(10) When a different employer succeeds or takes the place of an existing employer, all employees of the original employer who remain employed by the successor employer are entitled to all unpaid sick time accrued when employed by the original employer and are entitled to use all unpaid sick leave previously accrued.~~
- ~~(11) At its discretion, an employer may loan sick time to an employee in advance of accrual by such employee.~~

CB. Use of Sick Time.

- (1) Sick time shall be provided to an employee by an employer for:
 - a. An employee's mental or physical illness, injury, or health condition; an employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; an employee's need for preventive medical care;
 - b. Care of a family member with a mental or physical illness, injury, or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; care of a family member who needs preventive medical care; and
 - c. Closure of the employee's place of business by order of a public official due to a public health emergency or an employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency, or care for a family member when it has been determined by the health authorities having jurisdiction or by a health care provider that the family member's presence in the community would jeopardize the health of others because of the family member's exposure to a communicable disease, whether or not the family member has actually contracted the communicable disease.
- (2) Sick time shall be provided upon the oral request of an employee.
- (3) An employee shall give an employer notice of the need to use sick time as soon as practicable.
- (4) An employer may not require, as a condition of an employee's taking sick time, that the employee search for or find a replacement worker to cover the hours during which the employee is absent.
- (5) Accrued sick time may be used in the smaller of hourly increments or the smallest increment that the employer's payroll system uses to account for absences or use of other time.
- (6) For sick time of more than three (3) consecutive days, an employer may require reasonable documentation that the paid sick time has been used for a purpose covered by Section 4-2 of this chapter. Reasonable documentation includes: documentation signed by a health care professional indicating that paid sick time is necessary. An employer may not require that the documentation explain the nature of the illness.
- (7) Individuals who work for employers who employ less than ten (10) employees and who have accrued both compensated and unpaid sick time shall not be required by his or her employer to exhaust unpaid sick time before using compensated sick time.

§ 4-4. - Exercise of rights protected; retaliation prohibited.

- A. No person shall interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this chapter.
- B. No person shall retaliate against an employee because the employee has exercised rights protected under this chapter.
- C. The rights protected under this chapter include but are not limited to the right to request and use paid sick time pursuant to this chapter; the right to file a complaint or inform

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4 (PAID SICK TIME) OF THE JERSEY CITY MUNICIPAL CODE

any person about any employer's alleged violation of this chapter; the right to cooperate with the Agency in its investigations of alleged violations of this chapter; the right to participate in any administrative or judicial action regarding an alleged violation of this chapter; and the right to inform any person of his or her potential rights under this chapter.

- D. It is unlawful for an employer's absence control policy to count paid sick time taken under this chapter as an absence that may lead to or result in discipline, discharge, demotion, suspension, or any other adverse action.
- E. Protections of this section apply to any person who mistakenly but in good faith alleges violations of this chapter.
- F. There is a rebuttable presumption of unlawful retaliation under this section whenever an employer takes adverse action against a person within ninety (90) days of when that person:
 - (1) Files a complaint with the Agency or a court alleging a violation of any provision of this chapter;
 - (2) Informs any person about an employer's alleged violation of this chapter;
 - (3) Cooperates with the Agency or other persons in the investigation or prosecution of any alleged violation of this chapter;
 - (4) Opposes any policy, practice, or ordinance that is unlawful under this chapter; or
 - (5) Informs any person of his or her potential rights under this chapter.

§ 4-5. - Notice and posting.

- A. All employers shall give individual written notice to each of their employees at the commencement of the employee's employment (or as soon as practicable if the employee is already employed on the effective date of this law) regarding employee's rights under this chapter. Such notice shall describe the right to paid sick time, the accrual rate and the amount of paid sick time, and the terms of its use guaranteed under this chapter; the right to be free from retaliation for requesting use of paid sick time; and the right to file a complaint or bring a civil action if paid sick time is denied by the employer or the employee is retaliated against for requesting or taking paid sick time. Such notice shall be in English and the primary language spoken by that employee provided that the Department has made available a translation of such notice into such language.
- B. Employers shall also display a poster in a conspicuous and accessible place in each establishment where employees are employed containing notice of this chapter. The poster shall be in English and in any language that is the first language of at least ten percent (10%) of the employer's workforce provided that the Department has made available a translation of such notice into such language.
- C. The Department shall create and make available to employers individual notices and posters. Notices and posters shall be provided in English, Spanish, Italian, Chinese, Polish, Portuguese, Tagalog, and any other languages selected by the Agency.
- D. An employer who violates the notice and posting requirements of this section is subject to a civil fine in an amount not to exceed one hundred dollars (\$100.00) for each employee who was not given appropriate notice pursuant to this section and five hundred dollars (\$500.00) for each establishment in which a poster was not displayed.

§ 4-6. - Employer records.

Employers shall retain for three (3) years records documenting hours worked by employees and paid sick time taken by employees and shall allow the Department reasonable access to such records, to monitor compliance with the requirements of this chapter. An employer's failure to maintain or retain adequate records documenting hours worked by an employee and paid sick

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4 (PAID SICK TIME) OF THE JERSEY CITY MUNICIPAL CODE

time taken by an employee create a rebuttable presumption that the employer has violated this chapter, absent clear and convincing evidence otherwise.

§ 4-7. - Enforcement and regulations.

- A. The Department shall coordinate implementation and enforcement of this chapter and shall promulgate appropriate guidelines or regulations for such purposes.
- B. The Department shall coordinate implementation and enforcement of this chapter, including, but not limited to:
 1. establishing a system to receive complaints, in writing and by telephone, in English, Spanish, and any other language deemed appropriate by the Department regarding the employers non-compliance with this chapter;
 2. investigate and resolve complaints received by the Department in a timely manner and keep complainants notified regarding the status of the investigation;
 3. engage in pro-active enforcement of this chapter through the use of audits, on-site investigations, or other measures to ensure employer's compliance. Investigators from the Department shall be empowered to interview employees and former employees in private outside the presence of the employer, and the power to determine whether or not employers have complied with this chapter. The Department shall also have the power to inform residents of the City of their rights under this chapter.
- C. The Department shall maintain confidential the identity of any complaining person unless disclosure of the identity is necessary for resolution of the investigation. The Department shall, to the extent practicable, notify a complaining person that the Department will be disclosing his or her identity prior to such a disclosure.
- D. The Department shall establish a system for reviewing and adjudicating complaints by employees. Employers deemed by the Department to be in violation of this chapter shall be subject to the penalty prescribed in § 1-25 of the Municipal Code: the maximum penalty for violating this chapter shall be, in the discretion of the Court, a fine of up to ~~one thousand two hundred fifty dollars (\$1,250.00)~~ two thousand dollars (\$2,000) and/or a period of community service not exceeding ninety (90) days. This penalty shall apply to each individual infraction of this chapter. This section shall not affect any mandatory minimum penalty established by any section of the Code or ordinance.
- E. Any person claiming to be aggrieved by the violation of this chapter may bring a cause of action in any court of competent jurisdiction. Submitting a complaint to the Department is neither a prerequisite nor a bar to bringing private action.

§ 4-8. - Confidentiality and non-disclosure.

An employer may not require disclosure of details relating to an employee's or an employee's family member's medical condition as a condition of providing paid sick time under this chapter. If an employer possesses health information about an employee or employee's family member, such information shall be treated as confidential and not disclosed except to the affected employee or with the permission of the affected employee.

§ 4-9. - Encouragement of more generous paid sick time policies; no effect on more generous policies.

- A. Nothing in this chapter shall be construed to discourage or prohibit an employer from the adoption or retention of a paid sick time policy more generous than the one required herein.
- B. Nothing in this chapter shall be construed as diminishing the obligation of an employer to comply with any contract, collective bargaining agreement, employment benefit plan, or other agreement providing more generous paid sick time to an employee than required herein.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4 (PAID SICK TIME) OF THE JERSEY CITY MUNICIPAL CODE

- C. Nothing in this chapter shall be construed as diminishing the rights of public employees regarding paid sick time or use of paid sick time as provided in the laws of the State of New Jersey pertaining to public employees.

§ 4-10. - Research.

~~The City shall contract to have a research study undertaken to measure and evaluate the economic impact on businesses and the impact on the health of residents as a result of this chapter. This study shall begin one (1) year from the effective date of this chapter, and the City shall engage the services of a competent research institution to conduct this study.~~

§ 4-11. § 4-10. - Severability.

If any provision of this chapter or application thereof to any person or circumstance is judged invalid, the invalidity shall not affect other provisions or applications of this chapter that can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared severable.

§ 4-12. - Effective date.

~~This chapter will take effect one hundred twenty (120) days following enactment except that in the case of employees covered by a collective bargaining agreement in effect on the effective date prescribed herein, this chapter shall apply on the date of the termination of such agreement.~~

- I. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
- II. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- III. This Ordinance shall take effect sixty (60) days after enactment.
- IV. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

NOTE: All new material is underlined; words struck through are omitted.

For purposes of advertising only, new matter is **boldface** and repealed by *italics*.

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required ☐
Not Required ☐

APPROVED: _____

APPROVED: _____
Business Administrator



City Council Replacement Cover Sheet

Submitted By	Jeremy Farrell, Corporation Counsel
Department	Law Dept
Date Submitted	October 14, 2015
Pls. note Revisions and Page Number	Ord. 15-135 – 4.C.
	Page #4, Par. #1, the following language has been removed: "Employers who employ.....more than twenty-four (24) hours of paid sick time and more than sixteen (16) hours of unpaid sick time in a calendar year except....."

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 15.145
 TITLE: 3.J OCT 14 2015 4.J OCT 28 2015

An ordinance amending and supplementing Chapter 4 (Paid Sick Time) of the Jersey City Municipal Code.

RECORD OF COUNCIL VOTE ON INTRODUCTION OCT 14 2015 7-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	ABSENT			RIVERA	✓		
RAMCHAL	ABSENT			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING OCT 28 2015 9-0											
Councilperson <u>WATTERMANN</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

CHRISTINE BARRESI
 JESSICA ABDELNABBI
 TONY SANDRAMP
 KAREN WHITE
 YONEL LETELLIER
 DANIEL SANTIAGO
 YVES NIBUNGCO

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMANN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE OCT 28 2015 7-1-1											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN		✓		RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	ABSTAIN			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on OCT 14 2015
 Adopted on second and final reading after hearing on OCT 28 2015

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on OCT 28 2015

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date OCT 28 2015

APPROVED:

Steven M. Fulop, Mayor

Date

OCT 30 2015

Date to Mayor

OCT 29 2015